

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
BOSTON DIVISION**

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NATIONAL FEDERATION OF THE BLIND, on \*  
behalf of their members and itself, MARK \*  
CADIGAN, MIKA PYYHKALA, LISA IRVING, \*  
ARTHUR JACOBS, JEANINE KAY LINEBACK, \*  
and HEATHER ALBRIGHT, on behalf of \*  
themselves and all others similarly situated, \*

Plaintiffs, \*

v. \*

THE CONTAINER STORE, INC. \*

Defendant. \*

\*\*\*\*\*

**C.A. No. 1:15-cv-12984-NMG**

**JOINT STATUS UPDATE**

Pursuant to this Court's March 23, 2016 Order entered on the docket as a Document Number 66 (hereinafter the "Order"), the parties hereby submit the within Joint Status Report on the status of discovery.

**Plaintiffs' Statement:**

Following entry of the Order, Plaintiffs narrowed their interrogatories and requests for production of documents propounded upon the Defendant as directed by the Court. Plaintiffs' served their pared down written discovery by email and first class mail on March 24, 2016. At the same time that Plaintiffs served their pared down written discovery, Plaintiffs' counsel a) requested a timeframe for when the Defendant expected to substantively respond; b) a proposed protected/confidentially order so that the parties could finalize and then freely produce documents in this litigation that may constitute protected information; and, c) indicated that it would like to reschedule the deposition of Joan Manson for late April/early May, depending on

when substantive responses were produced by the Defendant to the pared down written discovery.

In response, on March 27, 2016, the Defendant indicated that it would respond to the pared down written discovery in three (3) weeks and would send a draft protective order by Friday, April 1.

Later that same day, in an effort to gauge the reasonableness of the timeframe provided by the Defendant, and further identify the scope of the production expected by the Defendant, Plaintiff requested a) the approximate volume of document discovery the Defendant intended to produce; b) in what format such production is expected; and, c) whether the Defendant is including any consideration of Electronically Stored Information (“ESI”) in its expected response. If so, the Plaintiff inquired as to whether there has been an effort to identify proper search terms that may be used to locate responsive ESI documents and clarified that any such ESI should be produced in native format with all metadata preserved.

Defendant’s Statement:

Defendant will send Plaintiffs a draft protective order and give them dates when Ms. Mason is available for deposition by April 1, 2016. Defendant does not know the volume of responsive documents it expects to produce since it just received Plaintiffs’ document requests a few days ago.

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### **CERTIFICATE OF SERVICE**

I, Jeremy Y. Weltman, certify that on this 28<sup>th</sup> day of March, 2016, I caused a true copy of the foregoing *Joint Status Report* to be filed with the Clerk of the United States District Court for the District of Massachusetts through the Court's Electronic Case Filing system ("ECF") and to be served through ECF upon counsel of record, with paper copies sent to any person indicated on ECF as a non-registered participant:

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